



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
March 27, 2012**

On this 27th day of March at 12:00 noon, the City Commission of the City of Weslaco, Texas convened in Special Session at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	Miguel D. Wise
Mayor Pro-Tem	J.F. "Johnny" Cuellar
Commissioner	Olga M. Noriega
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lupe V. Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Elizabeth Walker
City Attorney	Ramon Vela

Also present: Oscar Garcia, Public Facilities Director; Erasmo Lozano, Public Facilities Assistant Director; David Salinas, Public Utilities Director; Jorge Gonzales, Planning & Zoning/Code Enforcement Director and other staff members and citizens.

I. CALL TO ORDER

- A. Certification of Public Notice.
Mayor Wise called the meeting to order and certified the public notice of the meeting as properly posted Friday, March 23, 2012.
- B. Pledge of Allegiance.
Mayor Wise recited the Pledge of Allegiance.
- C. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting Commissioner Garza as absent.

II. NEW BUSINESS

- A. Discussion and consideration to assign the Guaranteed Maximum Price with CDM Constructors, Inc. (CCI) on the Water Treatment Plant expansion and associated projects pursuant to Local Government Code 252.022(a)(2), authorize staff to negotiate as appropriate, authorize a budget amendment as appropriate, and authorize the Mayor to execute the construction-manager-at-risk contract and any other related documents. Possible action. (Requested by Public Utilities Department.) Attachment.

The City Manager expressed they have come a long way and this represents the last step in construction-manager-at-risk (CMAR) process for the Water Treatment Plant. The original cost as proposed was \$43.3 million but CCI identified cost savings for a revised proposed cost of \$38.5 million. The Mayor previously expressed concern with a 25% contingency; but stated a reduction to 7% is more realistic. The Mayor Pro-Tem stated in last CMAR project the City was unprepared but this time there were more prudent questions. The Mayor suggested the City may rollback water rates in light of project cost reduction.

Ms. Mari Garza Bird stated that it would take 30 months for total completion most of which is for off-site distribution improvements, such as piping, and offered to send out multiple bid packages to notify local subcontractors in advance. In response to a question by Commissioner Noriega, the City Attorney clarified that some amendments to the contract were noted, specifically that City Commission and not the City Manager may change the scope of the project.

Commissioner Tafolla, seconded by Commissioner Martinez, moved to assign the Guaranteed Maximum Price of \$38.5 million with CDM Constructors, Inc. (CCI) on the Water Treatment Plant expansion and associated projects pursuant to Local Government Code 232.022(a)(2), authorized staff to negotiate as appropriate, authorized a budget amendment as appropriate, and authorized the Mayor to execute the construction-manager-at-risk contract as amended and any other related documents. The motion carried unanimously; Mayor Wise was present, but not voting.

- B. Discussion and consideration to assign the Guaranteed Maximum Price with GAS Enterprises, Inc. on the Environmental Education Center Project at Gibson Park as funded by a Texas Parks & Wildlife Grant, authorize staff to negotiate as appropriate, authorize a budget amendment as appropriate, and authorize the Mayor to execute the construction-manager-at-risk contract and any other related documents. Possible action. (Requested by Public Facilities Department: This item was tabled March 20, 2012.) Attachment.

The Mayor noted that the project is funded by a Texas Parks & Wildlife Grant as well as the City, AEP, and the Valley Nature Center itself. Mr. Bob Simpson advised that after consideration of additional bid responses, the Guaranteed Maximum Price was reduced by \$120,000.00 to \$1,268,000.00. Mr. Hernan Gonzalez stated he would request that the Economic Development Corporation board consider covering the shortfall of \$175,000.00.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. Each then amended his motion original motion. Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to assign the Guaranteed Maximum Price of \$1,268,000.00 with GAS Enterprises, Inc. on the Environmental Education Center Project at Gibson Park as funded in part by a Texas Parks & Wildlife Grant, authorize staff to negotiate as appropriate, authorize a budget amendment as appropriate, and authorize the Mayor to execute the construction-manager-at-risk contract and any other related documents contingent on the

Economic Development Corporation covering the shortfall of \$175,000.00. The motion carried unanimously; Mayor Wise was present, but not voting.

III. PUBLIC COMMENTS

There were no public comments.

IV. EXECUTIVE SESSION

V. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

The Commission did not convene in Executive Session.

VI. ADJOURNMENT

With no other business before the Commission, at 12:34 p.m. Commissioner Tafolla, seconded by Commissioner Martinez, moved to adjourn the March 27, 2012 meeting. The motion carried unanimously; Mayor Wise was present, but not voting.

CITY OF WESLACO

MAYOR, Miguel D. Wise

ATTEST:

CITY SECRETARY, Elizabeth M. Walker

MAYOR PRO-TEM, J.F. "Johnny" Cuellar

(Absent)
COMMISSIONER, Robert J. Garza

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez